
2.0 PROPOSED ACTION AND ALTERNATIVES

2.1 ALTERNATIVE DEVELOPMENT PROCESS

Because the Proposed Action for this EA is mandated by *Public Law* 108-137, there was no alternative development process. Such a process took place prior to passage of the legislation and included consideration of transferring ownership of Martin's Cove to the Corporation. That alternative was dismissed and a lease was determined to be the appropriate action. For the same reasons, the No Action Alternative in this EA is included for comparison purposes only because the Proposed Action is mandated by *Public Law* 108-137.

2.2 ALTERNATIVES CONSIDERED BUT NOT ANALYZED IN DETAIL

As explained in Section 2.1 above, no alternatives were considered other than the Proposed Action mandated in *Public Law* 108-137 and the No Action Alternative mandated by NEPA.

2.3 DESCRIPTION OF ALTERNATIVES

2.3.1 Alternative A - Proposed Action

The Proposed Action is for BLM to issue a lease to the Corporation that reflects the intent of *Public Law* 108-137 and ensures that the public lands would be managed to protect the lands and resources. To meet the Proposed Action, the lease agreement includes terms and conditions contained in the Act, including the following:

- provision for public access to the Martin's Cove historic site and the trail to Devil's Gate across private land owned by the Corporation to ensure public visitation for historic, educational, and scenic purposes without charge to the public;
 - provision for public educational and ecological preservation at the Martin's Cove historic without charge to the public;
 - permission for the Corporation, in consultation with the BLM, to regulate entry as may be required to protect the environmental and historic values of the resources at the Martin's Cove historic site, or at such times as necessitated by weather conditions, matters of public safety, and night-time hours;
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- provision for the Corporation, upon approval of the BLM, to improve the leasehold as may become necessary from time to time in order to accommodate visitors to the leasehold;
- provision that the Corporation be obligated to protect and maintain any historical or archaeological artifacts discovered or otherwise identified at the Martin's Cove historic site;
- provision for the Corporation to make lease payments that reflect fair market rental value of the public lands to be leased, provided however, that such lease payments shall be offset by the value of the public easements granted by the Corporation for access to Martin's Cove and Devil's Gate; and
- provision that the Secretary of the Interior shall comply with provision of the *National Environmental Policy Act of 1969* (42 U.S.C. 4321 et seq.).

A copy of *Public Law* 108-137 is included as Appendix A and a copy of the lease is included as Appendix B.

2.3.2 Alternative B - No Action

The No Action Alternative, as stated earlier, reflects the impacts that would occur if the Proposed Action were not implemented. However, since the Proposed Action is mandated by *Public Law* 108-137, it is presented for comparison purposes only.

2.4 COMPARISON OF ALTERNATIVES

The Proposed Action, through the lease between the BLM and the Corporation, would ensure care and protection for, and free public access to the Martin's Cove site for the 25-year period of the lease. Public access would be across the Sun Ranch, owned by the Corporation, which also includes a visitors center and museums to interpret the historical context of Martin's Cove and the Sun Ranch. These facilities on the Sun Ranch are provided to the public by the Corporation at no cost to the U.S. taxpayer.

The No Action Alternative would make no additional provisions for care or special protection for the Martin's Cove site and would not guarantee free public access to Martin's Cove or the trail to Devil's Gate across the Sun Ranch or to the visitors center and museums on the Sun Ranch. Any guaranteed public

access to Martin's Cove or the trail to Devil's Gate, or care and protection of the Martin's Cove site, would be at the expense of the U.S. taxpayer.
